

**MINUTES OF THE  
VINEYARD TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
June 13, 2012**

**PRESENT –**

Mayor Randy Farnworth  
Councilmember Jeff Gillespie  
Councilmember Sean Fernandez  
Councilmember Norm Holdaway

**ABSENT –**

Councilmember Nathan Riley

**Staff Present:** Water Operator Sullivan Love, Town Engineer Don Overson, Town Attorney Dave Church, Town Planner Nathan Crane, Town Clerk/Recorder Debra Cullimore, Deputy Treasurer Kelly Boren

**Others Present:** Stewart Park of Anderson Development, Robert Holdaway, Cummorah Holdaway

The Vineyard Town Council held a Regular Meeting Wednesday, June 13, 2012, beginning at 7:00 p.m. The invocation was offered by Sean Fernandez.

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**Regular Session** – The meeting was called to order at 7:05 p.m.

**MINUTES REVIEW AND APPROVAL** –

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 23, 2012. COUNCILMEMBER GILLESPIE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL** - *Planning Commission Liaison Norman Holdaway*

Councilmember Holdaway had no new business to forward to the Council from the Planning Commission.

**STAFF REPORTS** -

Planner, Nathan Crane – Mr. Crane reported that he will respond to a request from EDCU for information regarding a possible site location for a new business.

Engineer, Don Overson – JUB Engineers – Mr. Overson reported that an update to water and sewer fees which would standardize fees Town wide would be reasonable. He requested that a discussion regarding utility fees be included in the agenda for the June 27, 2012 meeting.

Mr. Overson also reported that Skip Dunn and Sons is on site in the RDA area beginning work on Phase 1 of the RDA project. Connection to the existing sewer line at the east end of Center Street will completed the week of June 18, 2012 to June 22, 2012. He explained that Phase 1 includes

completion of Mill Road to 400 North, as well as associated sewer and water lines in the same area. Design on Phase 2 is nearing completion. The contractor may be given an opportunity to complete Phase 2 as a change order to Phase 1 if the bid amount is roughly equivalent to the bid for Phase 1. Phase 2 includes completion of Mill Road and other infrastructure from 400 North to 800 North.

Water Operator Technician – Sullivan Love – Mr. Love reported that he made contact with individuals who were taking pipe from the Homesteads subdivision site. The individuals reported to Mr. Love that they had permission to use the pipe. Mr. Park stated that he has not given permission for the pipe to be used, and that it may be a property asset. He asked Mr. Love to refer the individuals to him to discuss the matter.

Attorney – David Church – Mr. Church reported that the quiet zone agreement on the agenda is under consideration and in the approval process with other municipalities, and that he has no significant concerns with the agreement as written.

Utah County Sheriff's Department – Deputy Gordon was not present at the meeting.

Financial Report – Town Treasurer, Nathan Riley – Councilmember Riley was not present at the meeting.

Town Clerk/Recorder – Ms. Cullimore reported that projects requested by the Council, including weed abatement and adjusting the mosquito spray schedule to evening hours are complete. Projects at the Town Hall including installation of Pelorus Software and new computers are also complete. Xpress Bill Pay will be available for on-line utility bill payment by mid-July. Ms. Cullimore is also attempting to follow up with representatives of the Army National Guard to coordinate Vineyard participation in the Community Covenant program.

## **BUSINESS ITEMS** –

**5.1 – Public Hearing – Final Budget for Fiscal Year 2012/2013.** *(Resolution #2012-02) The Town Council will hear public comment concerning the final budget for fiscal year 2012/2013. The Tentative Budget was presented on May 9, 2012. The proposed budget was also discussed as an agenda item during the May 23, 2012 Town Council meeting. Tonight, the Town Council will act to approve the final budget for fiscal year 2012/2013, amend the budget for fiscal year 2011/2012, set the certified property tax rate for 2012/2013, and approve an agreement for services between the RDA and the Town.*

Deputy Treasurer, Kelly Boren presented information regarding the final 2012-2013 Fiscal Year Budget. She explained revenue sources, including property tax and franchise tax revenue. She noted that revenues as have underestimated and expenditures overestimated as a conservative accounting practice. She explained that administrative expenditures from the General Fund during the 2011-2012 budget year will be offset by a transfer from the RDA Budget to reimburse the General Fund for RDA costs which were paid from the General Fund during the year. Costs for professional services for RDA projects will also be reimbursed to the General Fund.

Ms. Boren went on to review expenditures from the Water Fund which included a one-time payment to CUWCD and the annual payment to Orem City. She explained that funds were transferred

from the General Fund/Capital Projects Fund to the Water Fund to reflect actual Water Fund costs. Ms. Boren explained that the \$60,000 payment for purchase of the 575 South right-of-way is included in the current and the ensuing budget year, and will be paid from the Roadway Impact Fee fund. Ms. Boren presented a written update regarding the final disposition of budget issues which were discussed at previous meetings.

Mayor Farnworth noted that revenues in the Water Fund and the Sewer Fund are not adequate to cover costs in those funds. He stated that it would be reasonable for the Council to consider rate increases as recommended earlier in the meeting by Mr. Overson to bring in additional revenue to cover operational and maintenance costs associated with the Water and Sewer Fund. Mr. Love noted that an agreement entered into with Anderson Development required the developer to purchase an additional two acre feet of water from CUWCD. He inquired as to whether that purchase had taken place. Mr. Park stated that it was his understanding that the Town would purchase the water and invoice Anderson Development for the cost. Staff will follow up on the water purchase.

Mayor Farnworth called for a motion to open the budget discussion for public comment.

COUNCILMEMBER GILLESPIE MOVED TO OPEN THE PUBLIC HEARING.  
COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

Mayor Farnworth called for public comment. Hearing none, he called for a motion to close the Public Hearing.

COUNCILMEMBER FERNANDEZ MOVED TO CLOSE THE PUBLIC HEARING. MAYOR FARNWORTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

Mayor Farnworth called for further comments or discussion from the Council regarding the final budget for fiscal year 2012-2013. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE RESOLUTION #2012-2 APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR 2012-2013, AMENDING THE BUDGET FOR THE 2011-2012 FISCAL YEAR, SETTING THE CERTIFIED TAX RATE, AND ENTERING INTO AN AGREEMENT WITH THE VINEYARD REDEVELOPMENT AGENCY. COUNCILMEMBER GILLESPIE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

MAYOR FARNWORTH	AYE
COUNCILMEMBER FERNANDEZ	AYE
COUNCILMEMBER GILLESPIE	AYE
COUNCILMEMBER HOLDAWAY	AYE

THE MOTION CARRIED UNANIMOUSLY.

**5.2 – Discussion and Action – UTA Quiet Zone Agreement.** *The Council will review and possibly act to approve an agreement between the Town of Vineyard, the Utah Transit Authority, Lehi City, and other participating municipalities regarding establishment a of quiet zone along the FrontRunner corridor.*

Mr. Church stated that the FrontRunner trains will significantly increase train traffic on local rail lines. Federal regulations govern requirements for use of whistles at grade crossings, as well as creation of quiet zones. Quiet zones are established only at the request of the municipalities. The interlocal agreement before the Council is an interlocal agreement which authorizes Lehi City to submit the Quiet Zone application in behalf of all municipalities along the Quiet Zone.

Mr. Church recommended that the Town approve the agreement authorizing Lehi to submit the application. He clarified that the train operator has the option to sound the horn at crossings if they observe an emergency situation, but sounding the horn is not required if appropriate improvements are installed. UTA is paying the cost to install any necessary improvements at crossings which do not meet requirements. The Town will enter into a separate agreement regarding the 400 North crossing at the time it becomes a public crossing.

Mayor Farnworth called for further comments or discussion from the Council. Hearing none, he called for a motion.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE UTA QUIET ZONE INTERLOCAL AGREEMENT AND AUTHORIZE MAYOR FARNWORTH TO SIGN THE ASSOCIATED DOCUMENTS. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**5.3 – Discussion and Action – 575 South/Cook Property Subdivision Plat.** *The Council will review and possibly act to approve this Town initiated subdivision plat resulting from acquisition of the 575 South right-of-way from the Verl Cook family. The Planning Commission recommended approval with no conditions.*

Mr. Overson reported that he has prepared this plat at the direction of the Council. He noted that the Planning Commission has reviewed the plat and recommends approval with no conditions. Mr. Church stated that the details of the purchase agreement are being finalized, and that the first payment can be made following signing of the agreement and recording of the plat.

Mayor Farnworth called for further comments or discussion. Hearing none, he called for a motion.

COUNCILMEMBER GILLESPIE MOVED TO APPROVE THE TOWN INITIATED 575 SOUTH SUBDIVISION, PLAT B. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

## **OPEN SESSION –**

Mayor Farnworth called for comments from the audience. Cummorah Holdaway inquired as to a stop sign near the elementary school which has been removed. Mayor Farnworth explained that Orem City installed the sign during the Geneva Road construction project, and that the sign was removed by Orem City at the conclusion of that project. Mr. Overson explained that the current signage is appropriate for the design of the intersection under normal circumstances.

## **COUNCILMEMBER'S REPORTS –**

Councilmembers had no items to report at this meeting.

## **MAYOR'S REPORT –**

Mayor Farnworth had no items to report.

## **ADJOURNMENT –**

COUNCILMEMBER FERNANDEZ MOVED TO ADJOURN THE MEETING OF THE VINEYARD TOWN COUNCIL AND CONVENE THE MEETING OF THE VINEYARD REDEVELOPMENT AGENCY BOARD AT 7:56 P.M. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

BOARDMEMBER FERNANDEZ MOVED TO ADJOURN THE MEETING OF THE VINEYARD REDEVELOPMENT AGENCY BOARD AND RECONVENE THE MEETING OF THE VINEYARD TOWN COUNCIL AT 8:04 P.M. BOARDMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

COUNCILMEMBER FERNANDEZ MOVED TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS ACQUISITION OF REAL PROPERTY AND THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

The meeting was adjourned by consensus at the conclusion of the Executive Session. The next regular Town Council meeting is scheduled for June 27, 2012.

**MINUTES APPROVED ON – June 27, 2012**

**CERTIFIED CORRECT BY \_\_\_\_\_**  
**DEBRA CULLIMORE, TOWN CLERK/RECORDER**